TECH CENTER 1600/2900

In re Application of

WEI HUANG, MERL F. HOEKSTRA, J. RICHARD SPORTSMAN, and EWALD A. TERPETSCHNIG

Serial No.

09/844,655

Group Art Unit 1645

Dated: May 6, 2002

Filed

April 27, 2001

For

**MOLECULAR MODIFICATION ASSAYS** 

COPY OF PAPERS ORIGINALLY FILED

Commissioner for Patents Washington, D.C. 20231

Sir:

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the Patent Office the patents and/or other publications listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

#### CONTENT OF DISCLOSURE

This Information Disclosure Statement includes 25 pages of PTO-1449 forms, but does not include copies of the references listed on the forms, as permitted under 37 C.F.R. § 1.98(d), because copies already were provided in an earlier U.S. application

Page 1 -INFORMATION DISCLOSURE STATEMENT ... Serial No. 09/844,655

(Serial No. 09/596,444, filed June 19, 2000), which is relied on here for an earlier effective filing date under 35 U.S.C. § 120.

#### FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

<u>European Patent No. 0 259 386 B1</u> – This reference appears to disclose microplates, as illustrated in the figures.

<u>European Patent No. 0 578 067 A1</u> – This reference appears to disclose chemical compositions including metal chelates, as illustrated in the figures.

## TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing of a first Office action on the merits. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee is required.

Please contact the undersigned attorney with any questions or comments regarding this Information Disclosure Statement.

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on May 6, 2002.

Renee Knight

23581

PATENT TRADEMARK OFFICE

Respectfully submitted,

KOLISCH, HARTWELL, DICKINSON, McCORMACK & HEUSER

James R. Abney

Registration No. 42,253

Customer No. 23581

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204 Telephone: (503) 224-6655

Facsimile: (503) 295-6679 Attorney for Assignee